

DENTAL BOARD OF CALIFORNIA
INITIAL STATEMENT OF REASONS

Hearing Date: July 11, 2003

Subject Matter of Proposed Regulations: California Dental Corp Loan Repayment Program

Section (s) Affected: Proposed Adoption of Article 4.5 (Section 1042 to 1042.6)

Specific Purpose of each adoption, amendment, or repeal:

1042 – This section defines certain terms as they relate to this program, to include “Educational Loan” and “Full-time Status.”

1042.1 – This section outlines the guidelines for the selection of applicants. In addition to possessing a current valid license to practice dentistry in this state, applicants must meet specified criteria. The criteria and a grading point system is spelled out, including, among other criteria, allowing an applicant one point each, if he or she speaks more than one Medi-Cal threshold language; has additional experience working in a health field related to dentistry in an underserved area; and is not participating in any other educational loan repayment program. The points will help the selection committee get a better sense of the qualifications of the applicants, but the number of points that an applicant receives is not the determinative factor in selecting dentists to participate in this program. The Board shall consider giving priority considering to those applicants who are best suited to meet the cultural and linguistic needs of patients from dentally underserved areas.

Section 1042.2 – This section of proposed language defines the process an applicant must follow to be considered for the program including the submission of an application, which includes: stating which criteria an applicant meets; providing the name of each loan company to which the applicant is repaying a loan; a current loan statement; the outstanding balance and the purpose for which the loan was given.

Section 1042.3 – This section of proposed language defines the processing times for applications. There is a proposed 120 day window in which the Board must notify the applicant of its decision on the application.

Section 1042.4 – This section of proposed language outlines program implementation and requires a participating dentist to sign a written agreement with the Board agreeing to the terms of the program. In addition, it outlines the repayment terms if the participant receives less than the maximum allowable under the statute.

Section 1042.5 This section of language proposes if a dentist participating in the program is unable to complete his or her obligation, the proposed section outlines the process and penalties for failing to meet his or her agreement with the Board, including a reduction in loan repayment or repayment to the Board of amounts paid out. In addition, it defines the administrative and civil consequences of the inability to complete the obligation.

Section 1042.6 – This section of language outlines the program reinstatement requirements necessary for reinstatement to the program.

Factual Basis:

Assembly Bill 982, Chapter 1131, Statutes of 2002, added Article 4.5, commencing with Section 1070, to the Business and Professions Code which established the Dental Corps Loan Repayment Program.

The Department of Health and Human Services Office of Minority Health published standards for culturally and linguistically appropriate services (CLAS) on December 22, 2002. These CLAS standards outline requirements, guidelines and recommendations on how health care organizations can make their practices more culturally and linguistically accessible, with the ultimate goal of eliminating racial and ethnic health disparities. According to the Bureau of Health Professions, the cost of receiving a dental education many times prohibits newly trained dentists from choosing to practice in underserved areas, because they finish dental school with large loans that must be repaid.

According to the Center for California Health Workforce Studies, despite some existing programs to repay student loans for dentists who commit to work in underserved areas, there are still an inadequate number of dentists that are culturally or linguistically competent to serve these areas.

It is in the interest of the State to ensure that dental services are provided throughout California in a manner that can be effectively accessed by the residents of all communities.

Underlying Data

The Institute of Medicine Report document “Unequal Treatment”
California Primary Care Association, 2002 Uniform Data System

Business Impact:

This regulation will not have a significant adverse economic impact on businesses.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

The Dental Board of California must adopt regulations to implement the California Dental Corps Loan Repayment Program. In numerous discussions with interested parties, no reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

The only other alternative to this proposal is not to adopt this Chapter. However, this is not a reasonable or feasible alternative, considering the benefits offered and gained by providing culturally and linguistically competent dentists to the dentally underserved populations in California.